

Amendment No. 8 to SB1933

**Southerland
Signature of Sponsor**

AMEND Senate Bill No. 1933*

House Bill No. 1421

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by inserting the following as new subsections (c) and (d) to the amendatory language of Section 9 of the bill as amended and by renumbering the subsequent subsection as appropriate:

(c) By December 31, 2007, the consumer affairs division of the department of commerce and insurance shall, pursuant to the Uniform Administrative Procedures Act as set forth in title 4, chapter 5, establish a uniform set of rules, which may include fines and penalties, pursuant to which an affected municipality or county shall resolve subscriber complaints. The consumer affairs division may utilize Tennessee regulatory authority staff attorneys to provide legal assistance and administrative support to conduct such rulemaking but the rulemaking will not be subject to the review or approval of the Tennessee regulatory authority. Said rules shall include a requirement that the cable or video service provider participate in mandatory confidential mediation with the affected municipality or county and the subscriber if the issue cannot be resolved between the cable or video service provider and the subscriber. The cost of such mediation shall be shared equally between the municipality and the provider except as set forth below. Such mediation shall occur in the municipality or county in which the customer resides. Should the mediator conclude that the provider has failed to provide service as required pursuant to the applicable customer contract or terms and conditions, the mediator may award service credits to the customer not to exceed three (3) months of service and the provider shall bear the full cost of the mediation. All parties to the mediation reserve any and all appeal rights.

(d) The rules adopted pursuant to subsection (c) shall apply only until 50 percent (50%) of the potential subscribers within an affected municipality or county are offered service by two (2) or more cable or video service providers holding a state franchise or

local franchise.